

November 15, 2017

The Honorable Ajit V. Pai  
Chairman  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, D.C. 20554

Dear Chairman Pai:

Serious concerns have been raised about whether you are executing your leadership of the FCC free from influences that compromise your objectivity and impartiality.

In particular, we have strong concerns that the FCC's ongoing review of the proposed merger of Sinclair Broadcasting (Sinclair) and Tribune Media (Tribune) may be tainted by a series of actions and events that raise questions about the independence and impartiality of the FCC.

As a result, under separate cover today, we are asking the Federal Communications Commission's (FCC) Office of Inspector General (OIG) to commence an impartial and independent investigation into whether your actions have undermined your and the agency's independence.<sup>1</sup>

Accordingly, it is imperative you recuse yourself from certain matters in order to protect the public interest, integrity and independence of the agency's decision-making process until after the FCC's inspector general determines whether the facts warrant your permanent recusal.

Specifically, the facts outlined in our letter to the Inspector General dictate that you recuse yourself from voting on the following proposed items scheduled for a vote on November 16, which are directly related to our questions about whether your decisions reflect a lack of independence or impartiality favoring Sinclair:

(1) The *Order on Reconsideration and Notice of Proposed Rulemaking* related to the 2014 Quadrennial Regulatory Review – Review of the Commission's Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996 (MB Docket No. 14-50); 2010 Quadrennial Regulatory Review -- Review of the Commission's Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996 (MB Docket No. 09-182); Promoting Diversification of Ownership In the Broadcasting Services (MB Docket No. 07-294); Rules and Policies Concerning Attribution of Joint Sales Agreements in Local Television Markets (MB Docket No. 04-256); Rules and Policies to

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<sup>1</sup> We would note that the FCC Office of Inspector General has received a similar request from Representatives Pallone and Cummings.

Promote New Entry and Ownership Diversity in the Broadcasting Services (MB Docket No. 17-289).

(2) The *Report and Order and Further Notice of Proposed Rulemaking* related to Authorizing Permissive Use of the "Next Generation" Broadcast Television Standard (GN Docket No. 16-142).

In addition, we are requesting the FCC immediately halt its work on the proposed merger between Sinclair and Tribune Media until the Inspector General completes his investigation.

Attached to this letter is a copy of the letter sent to the Inspector General documenting our concerns in detail. We expect the Inspector General to fully and fairly investigate the concerns raised in our letter, and for your office to fully cooperate with that investigation.

Please confirm to our offices as soon as possible that you have complied with these requests.

Sincerely,



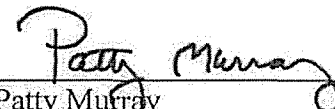
Maria Cantwell  
United States Senator



Tom Udall  
United States Senator



Richard Blumenthal  
United States Senator



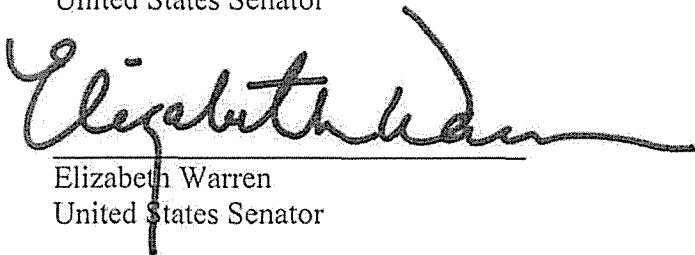
Patty Murray  
United States Senator



Edward J. Markey  
United States Senator



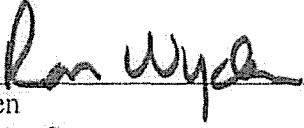
Al Franken  
United States Senator




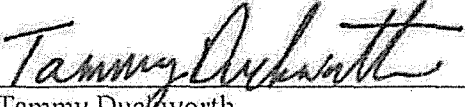
Elizabeth Warren  
United States Senator

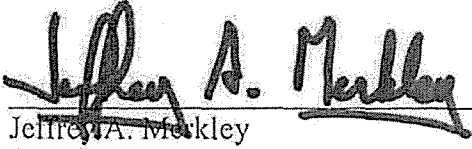


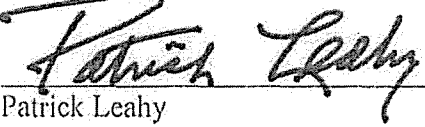
Richard J. Durbin  
United States Senator

  
Ron Wyden  
United States Senator

  
Bernard Sanders  
United States Senator

  
Tammy Duckworth  
United States Senator

  
Jeffrey A. Merkley  
United States Senator

  
Patrick Leahy  
United States Senator

cc: Inspector General David L. Hunt



OFFICE OF  
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

February 9, 2018

The Honorable Ron Wyden  
United States Senate  
221 Dirksen Senate Office Building  
Washington, D.C. 20510

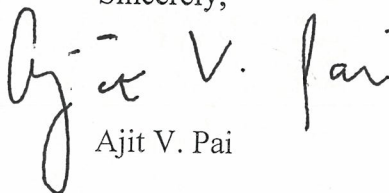
Dear Senator Wyden:

I have received your request that I recuse myself from voting on several media matters, including the Order on Reconsideration of the Commission's 2014 Quadrennial Media Ownership Review, the Report and Order and Further Notice on the Next-Generation Television Standard, and the pending acquisition by Sinclair Broadcasting Group of the licenses of Tribune Media.

I respectfully decline to recuse. I have confirmed with the FCC's Office of General Counsel that nothing in the law suggests that recusal is appropriate, much less required, in these circumstances. And it should go without saying that mere policy differences do not warrant recusal.

Since joining the Federal Communications Commission in 2012, my actions to promote a vibrant and free over-the-air broadcast service have been motivated by my belief that a strong over-the-air broadcast service advances the public interest. And I am not alone in that belief: The Commission has worked with the National Association of Broadcasters (NAB),<sup>1</sup> America's Public Television Stations, the National Religious Broadcasters, Univision, and literally hundreds of small-town radio and television broadcasters to ensure that our media regulations match the modern marketplace.

Sincerely,

  
Ajit V. Pai

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"The actions proposed by Chairman Pai and supported by the NAB and scores of broadcasters have industry-wide implications with a profound impact that is broader than any one company. For decades, the broadcast industry has asked the FCC to modernize its media ownership rules, and NAB itself petitioned the FCC to allow broadcasters to innovate and voluntarily employ a Next Gen TV standard, advocated for the elimination of the main studio rule and urged a holistic approach to the UHF discount.

We appreciate that Chairman Pai has looked at facts over politics and consistently supported these and related updates to both radio and TV broadcasting regulations since he first became a Commissioner in 2012."

NAB Statement Regarding Calls for FCC Chair's Recusal on Media Ownership Reform, Next Gen TV (Nov. 15, 2017), available at <http://www.nab.org/documents/newsRoom/pressRelease.asp?id=4280>.





FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF  
THE CHAIRMAN

February 9, 2018

The Honorable Elizabeth Warren  
United States Senate  
317 Hart Senate Office Building  
Washington, D.C. 20510

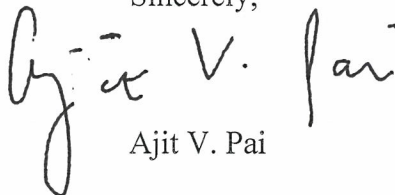
Dear Senator Warren:

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OFFICE OF  
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

February 9, 2018

The Honorable Tom Udall  
United States Senate  
531 Hart Senate Office Building  
Washington, D.C. 20510

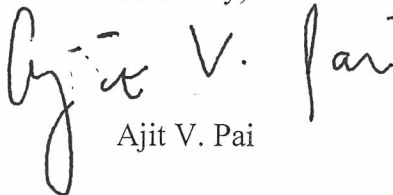
Dear Senator Udall:

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FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

February 9, 2018

The Honorable Bernard Sanders  
United States Senate  
332 Dirksen Senate Office Building  
Washington, D.C. 20510

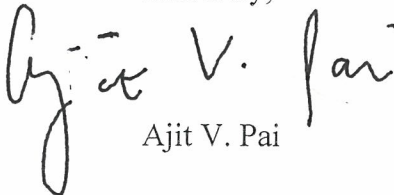
Dear Senator Sanders:

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THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

February 9, 2018

The Honorable Patty Murray  
United States Senate  
154 Russell Senate Office Building  
Washington, D.C. 20510

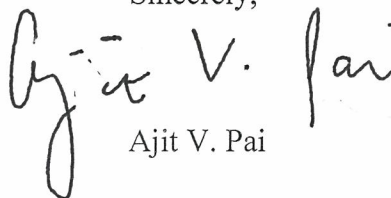
Dear Senator Murray:

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OFFICE OF  
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

February 9, 2018

The Honorable Jeff Merkley  
United States Senate  
313 Hart Senate Office Building  
Washington, D.C. 20510

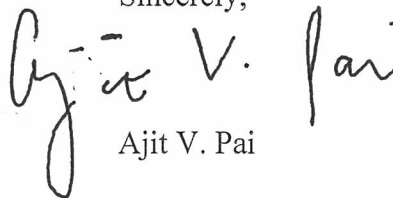
Dear Senator Merkley:

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OFFICE OF  
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

February 9, 2018

The Honorable Edward J. Markey  
United States Senate  
255 Dirksen Senate Office Building  
Washington, D.C. 20510

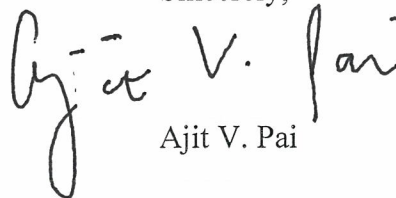
Dear Senator Markey:

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FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF  
THE CHAIRMAN

February 9, 2018

The Honorable Patrick J. Leahy  
United States Senate  
437 Russell Senate Office Building  
Washington, D.C. 20510

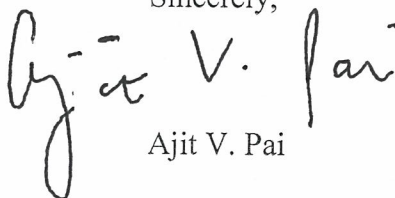
Dear Senator Leahy:

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FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF  
THE CHAIRMAN

February 9, 2018

The Honorable Al Franken  
United States Senate  
309 Hart Senate Office Building  
Washington, D.C. 20510

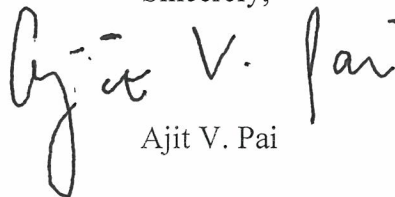
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February 9, 2018

The Honorable Richard Blumenthal  
United States Senate  
706 Hart Senate Office Building  
Washington, D.C. 20510

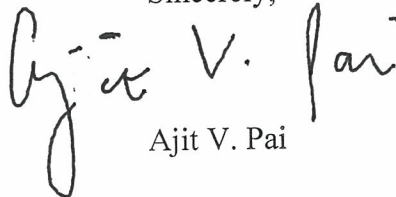
Dear Senator Blumenthal:

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February 9, 2018

The Honorable Maria Cantwell  
United States Senate  
511 Hart Senate Office Building  
Washington, D.C. 20510

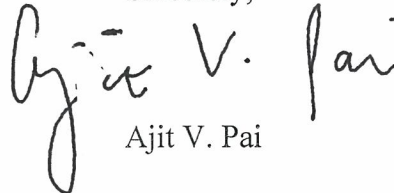
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Since joining the Federal Communications Commission in 2012, my actions to promote a vibrant and free over-the-air broadcast service have been motivated by my belief that a strong over-the-air broadcast service advances the public interest. And I am not alone in that belief: The Commission has worked with the National Association of Broadcasters (NAB),<sup>1</sup> America's Public Television Stations, the National Religious Broadcasters, Univision, and literally hundreds of small-town radio and television broadcasters to ensure that our media regulations match the modern marketplace.

Sincerely,



Ajit V. Pai

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<sup>1</sup> Incidentally, with respect to your request, the nonpartisan NAB has stated as follows:

"The actions proposed by Chairman Pai and supported by the NAB and scores of broadcasters have industry-wide implications with a profound impact that is broader than any one company. For decades, the broadcast industry has asked the FCC to modernize its media ownership rules, and NAB itself petitioned the FCC to allow broadcasters to innovate and voluntarily employ a Next Gen TV standard, advocated for the elimination of the main studio rule and urged a holistic approach to the UHF discount.

We appreciate that Chairman Pai has looked at facts over politics and consistently supported these and related updates to both radio and TV broadcasting regulations since he first became a Commissioner in 2012."

NAB Statement Regarding Calls for FCC Chair's Recusal on Media Ownership Reform, Next Gen TV (Nov. 15, 2017), *available at* <http://www.nab.org/documents/newsRoom/pressRelease.asp?id=4280>.





FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF  
THE CHAIRMAN

February 9, 2018

The Honorable Tammy Duckworth  
United States Senate  
G12 Dirksen Senate Office Building  
Washington, D.C. 20510

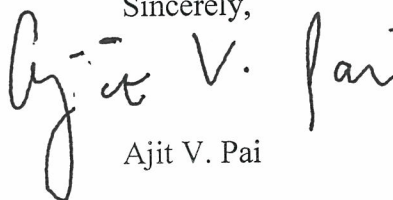
Dear Senator Duckworth:

I have received your request that I recuse myself from voting on several media matters, including the Order on Reconsideration of the Commission's 2014 Quadrennial Media Ownership Review, the Report and Order and Further Notice on the Next-Generation Television Standard, and the pending acquisition by Sinclair Broadcasting Group of the licenses of Tribune Media.

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Since joining the Federal Communications Commission in 2012, my actions to promote a vibrant and free over-the-air broadcast service have been motivated by my belief that a strong over-the-air broadcast service advances the public interest. And I am not alone in that belief: The Commission has worked with the National Association of Broadcasters (NAB),<sup>1</sup> America's Public Television Stations, the National Religious Broadcasters, Univision, and literally hundreds of small-town radio and television broadcasters to ensure that our media regulations match the modern marketplace.

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FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF  
THE CHAIRMAN

February 9, 2018

The Honorable Richard J. Durbin  
United States Senate  
711 Hart Senate Office Building  
Washington, D.C. 20510

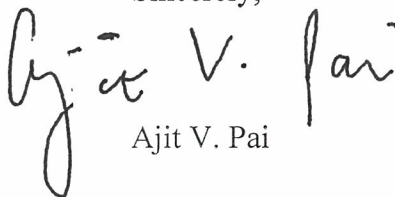
Dear Senator Durbin:

I have received your request that I recuse myself from voting on several media matters, including the Order on Reconsideration of the Commission's 2014 Quadrennial Media Ownership Review, the Report and Order and Further Notice on the Next-Generation Television Standard, and the pending acquisition by Sinclair Broadcasting Group of the licenses of Tribune Media.

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